

**REMARKS**

Claims 33-60 are pending in the application. Claims 33-60 stand rejected. Claims 33, 36-38, 40, 44, 47, 51, 54 and 58 have been amended. Applicant respectfully requests the rejection of claims 33-60 be withdrawn in consideration of the following remarks.

Claims 33, 36-38, 40, 44, 51 and 58 have been amended in order to make minor editorial changes. The changes do not affect the scope or content of the amended claims.

Claim 33 stands rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,347,386 to Beffa in view of claim 1 of U.S. Patent No. 5,867,505 to Beffa. Claims 34-39 stand rejected because they are dependent from independent claim 33.

Similarly, claim 40 stands rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,128,756 to Beffa in view of claim 1 of U.S. Patent No. 6,622,270 to Beffa. Claims 41-46 stand rejected because they are dependent from independent claim 40.

Additionally, claim 54 stands rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 18-19 of U.S. Patent No. 5,867,505 to Beffa in view of claim 1 of U.S. Patent No. 6,622,270 to Beffa. Claims 55-60 stand rejected because they are dependent from independent claim 54.

An obviousness-type double patenting rejection may be obviated by the submission of a Terminal Disclaimer where common ownership of the conflicting patent and application may be shown. *See* 37 CFR 1.130(b). In the case of multiple obviousness-type double patenting rejections, “a single terminal disclaimer based on common ownership may be filed ... in which the term disclaimed is based on all the conflicting, commonly owned double patenting references.” M.P.E.P. § 804.02(IV). Because U.S. Patent Nos. 5,867,505, 6,128,756 and 6,347,386 and the above-referenced application are commonly owned by Micron Technology, Inc., a Terminal Disclaimer may be used to overcome the obviousness-type double patenting rejections. A Terminal Disclaimer applied in the present case would disclaim the terminal portion of the patent term of a patent issued on the present application which extends beyond the

patent terms of the above-listed conflicting patents. In the present case, each of the above-listed conflicting patents expire on the same day.

A Terminal Disclaimer complying with 37 C.F.R. 1.321(c) is herewith filed. Withdrawal of the rejections of claims 33, 40 and 54 is respectfully requested. Claim 33 being allowable, withdrawal of the rejection of claims 34-39 is also requested, as claims 34-39 depend upon claim 33. Similarly, withdrawal of the rejection of claims 41-46 is requested, as claims 41-46 depend upon claim 40. Withdrawal of the rejection of claims 55-60 is also requested, as claims 55-60 depend upon claim 54.

Claim 47 stands rejected under 35 U.S.C. § 101 as claiming the same invention as that of claim 1 of prior U.S. Patent No. 6,128,756 to Beffa. Claims 48-53 stand rejected because they are dependent from independent claim 47. Applicant respectfully requests withdrawal of the rejections.

Claim 47 has been amended to recite an apparatus comprising “a testing device for performing a plurality of tests on [a] plurality of integrated circuits, each of said plurality of integrated circuits having a unique circuit identifier stored in an identification circuit; a processor...; and a memory for storing said unique circuit identifier for each of said plurality of integrated circuits that failed at least one of said plurality of tests.” The inclusion of “a memory for storing said unique circuit identifier for each of said plurality of integrated circuits that failed at least one of said plurality of tests” distinguishes claim 47 of the application from claim 1 of the ‘756 patent to Beffa. Claim 1 of the ‘756 patent does not recite a memory component. Thus, claim 47 of the application and claim 1 of the ‘756 patent are not coextensive in scope, and the rejection should be withdrawn. Claim 47 being allowable, the rejection of claims 48-53 should also be withdrawn, as claims 48-53 are dependent upon claim 47.

Claims 54-60 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,360,747 to Larson et al. (“Larson”). The rejection is traversed.

Claim 54 recites “a system comprising a device tester adapted to perform a principal functional test on an integrated circuit having one or more functional circuit portions and produce principal result information indicating respective operation or failure of said one or

more functional circuit portions; a reader...; a recording medium...; and a device repair apparatus adapted to repair said integrated circuit in response to principle result information indicating failure of said one or more functional circuit portions.” Because Larson fails to teach each of the elements of claim 54, the rejection should be withdrawn.

Larson is directed to a method for testing dice on a wafer. Larson, col. 1, lines 7-9. Larson teaches a device tester that probes all memory cells in a die and tests each memory cell to determine functionality. Larson, col. 1, lines 34-49. The testing process includes programming each memory cell and then reading the memory cells to determine if they were successfully programmed. *Id.* After multiple tests, a die is labeled as either a good die or a bad die through a process of electronic inking. Larson, col. 1, lines 49-64. The Examiner asserts that it would be obvious to apply Larson’s method to the testing of integrated circuits. Office Action, p. 7.

Larson fails to teach, however, any type of repair means for the defective dice. Larson is limited to a method of testing whether a die is good or bad. Once a die is identified as defective, Larson provides no further guidance as to how to correct the defects. Thus, Larson fails to teach “a device repair apparatus adapted to repair said integrated circuit in response to principle result information indicating failure of said one or more functional circuit portions.”

Because Larson fails to teach each element of claim 54, claim 54 is allowable over Larson. Claims 55-60, which depend upon claim 54 and thus incorporate all of the elements and limitations of claim 54, are also allowable. As such, Applicant respectfully requests that the rejection be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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